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Defendants' request is GRANTED. The initial pretrial conference is rescheduled to October 18, 2023 at 10:30AM. The deadline to file a joint letter and a proposed Civil Case Management Plan is extended to October 12, 2023. September 6, 2023

The Clerk of Court is directed to terminate the motion at ECF No. 13.

Hon. Arun Subramanian
United States District Court
500 Pearl Street
New York, NY 10007

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: September 7, 2023

Volkava et al. v. RHM Restaurant Corp. et ano., 23-cv-4893 (AS)

Your Honor:

We represent the defendants in the referenced matter involving claims under the Fair Labor Standards Act, New York State Human Rights Law and New York City Human Rights Law. We write, with Plaintiff's consent, to request a thirty-day adjournment of the conference presently scheduled before the Court on September 12, 2023 and a brief extension the August 14, 2023 Notice of Initial Pretrial Conference Order's discovery deadlines.

The reason for this request is that your correspondent will, on short notice, be actually engaged on September 12th in oral argument before the New York State Supreme Court, Appellate Division, Second Department on an expedited appeal in a pending election law matter, *Stern v. Putnam County Board of Elections et al.*, App. Div. Docket No.: 08009/2023. This appeal was filed August 30, 2023 and perfected by Appellant on September 3rd with a deadline to file this office's brief by September 7th at 3:00 p.m. followed by the above mentioned oral argument. The adjournment is necessary as we have not had time to consult with plaintiff's counsel as to the scope of limited discovery and because we will be unavailable for the scheduled conference on September 12th.

The parties respectfully request that: the September 18, 2023 Initial Conference be adjourned to October 18, 2023 or any date convenient for the Court; September 7, 2023 deadline to file a Joint Letter and a Proposed Civil Case Management Plan and Scheduling Order be extended to October 12, 2023; and September 4, 2023 deadline to produce limited discovery be extended to October 4, 2023. This is the first request for an adjournment and plaintiff's counsel has consented to same.

Respectfully yours,

John M. Murtagh (JM5815)

cc: Lipsky & Lowe/ via ECF

